

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

MATTHEW TERRION,	)	CASE NO.: 5:13 cv 426
	)	
PETITIONER,	)	JUDGE SARA LIOI
	)	
vs.	)	<b>MEMORANDUM OPINION</b>
	)	
LORAIN CORRECTIONAL	)	
INSTITUTION, WARDEN OF,	)	
	)	
RESPONDENT.	)	

Before the Court is the report and recommendation of Magistrate Judge George Limbert in the above-entitled action for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C). In this case, Petitioner sought, and was granted, an extension of time until July 30, 2014, to file objections to the report and recommendation. However, no objections have been filed. The failure to file written objections to the report and recommendation of a Magistrate Judge constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed Magistrate Judge Limbert's report and recommendation and adopts the same. Accordingly, the Court finds that the Petitioner's grounds for relief pursuant to § 2254 are procedurally defaulted. Further, the Court finds that even if Petitioner's grounds for relief were not procedurally defaulted, the Ohio Appellate Court's determination was not contrary to or an unreasonable application of federal law as determined by the United States Supreme Court.

Accordingly, Matthew Terrion's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is dismissed in its entirety with prejudice.

**IT IS SO ORDERED.**

Dated: August 21, 2014

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**